



*To enrich lives through effective and caring service*




**Santos H. Kreimann**  
Director

**Kerry Silverstrom**  
Chief Deputy

June 4, 2009

TO: Small Craft Harbor Commission

FROM: Santos H. Kreimann, Director 

SUBJECT: **SMALL CRAFT HARBOR COMMISSION AGENDA FOR  
JUNE 10, 2009**

Enclosed is the June 10, 2009 meeting agenda, together with the minutes from your meeting of May 13, 2009. Also enclosed are reports related to Agenda Items 3a, 3b, 4a, 4b, 5a, and 6a.

Please feel free to call me at (310) 305-9522 if you have any questions or need additional information in advance of the meeting.

SHK:pw  
Enclosures



*To enrich lives through effective and caring service*

**SMALL CRAFT HARBOR COMMISSION**

**AGENDA**

**JUNE 10, 2009**

**9:30 A.M.**

**BURTON W. CHACE PARK COMMUNITY ROOM**

**13650 MINDANAO WAY**

**MARINA DEL REY, CA 90292**



**Santos H. Kreimann**  
Director

**Kerry Silverstrom**  
Chief Deputy

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes: Meeting of May 13, 2009
3. **REGULAR REPORTS**
  - a. Marina Sheriff (DISCUSS REPORTS)
    - Crime Statistics
    - Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance with Liveaboard Permit Percentages
  - b. Marina del Rey and Beach Special Events (DISCUSS REPORT)
4. **OLD BUSINESS**
  - a. Follow-up Re Marina del Rey Slip Sizing Study and Marina del Rey Slip Pricing and Vacancy Study (ENDORSE STUDIES FINDINGS FOR INCLUSION IN DEPARTMENT'S RESPONSE TO REGIONAL PLANNING DEPARTMENT WITH RESPECT TO THE CALIFORNIA COASTAL COMMISSION MARINA LCP PERIODIC REVIEW)
  - b. Dock Reconfiguration Plan for Chace Park Peninsula (DISCUSS REPORTS)
5. **NEW BUSINESS**
  - a. Parcel 1 – Fuel Dock – Approval of Amendment No. 1 to Lease No. 75629 (DISCUSS REPORTS)
6. **STAFF REPORTS** (DISCUSS REPORT)
  - a. Ongoing Activities
    - Board Actions on Items Relating to Marina del Rey

- Regional Planning Commission's Calendar
- Venice Pumping Plant Dual Force Main Project Update
- Oxford Basin Project Update
- Redevelopment Project Status Report
- Unlawful Detainer Actions
- Design Control Board Minutes
- Slip Rent Adjustment for Parcel 47

7. **COMMUNICATION FROM THE PUBLIC**

8. **ADJOURNMENT**

**PLEASE NOTE**

1. The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles Code (Ord. 93-0031 ~ 2 (part), 1993, relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.
2. The agenda will be posted on the internet and displayed at the following locations at least 72 Hours preceding the meeting date:

Department of Beaches and Harbors Website Address: <http://marinadelrey.lacounty.gov>

Department of Beaches and Harbors  
Administration Building  
13837 Fiji Way  
Marina del Rey, CA 90292

MdR Visitors & Information Center  
4701 Admiralty Way  
Marina del Rey, CA 90292

Burton Chace Park Community Room  
13650 Mindanao Way  
Marina del Rey, CA 90292

Lloyd Taber-Marina del Rey Library  
4533 Admiralty Way  
Marina del Rey, CA 90292

3. The entire agenda package and any meeting related writings or documents provided to a Majority of the Commissioners (Board members) after distribution of the agenda package, unless exempt from disclosure Pursuant to California Law, are available at the Department of Beaches and Harbors and at <http://marinadelrey.lacounty.gov>

Si necesita asistencia para interpretar esta informacion llame al (310) 305-9586.

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**SMALL CRAFT HARBOR COMMISSION MINUTES**  
**MAY 13, 2009**

**Commissioners:** Russ Lesser, Chairman; Vanessa Delgado, Vice-Chairman; Albert Landini, Ed.D.; Dennis Alfieri, Commissioner; Albert DeBlanc (unexcused absence)

**Department of Beaches and Harbors:** Santos Kreimann, Director; Gary Brockman, Asset Development; Dusty Crane, Community and Marketing Service Division Chief;

**County:** Thomas Faughnan, Principal Deputy County Counsel; Michael Tripp, Principal Planner Special Projects; Sergeant Escamillas and Deputy Rochford, Sheriff's Department

**Guest:** Beverly Moore, Executive Director, Marina del Rey Convention and Visitors Bureau

**Call to Order and Pledge of Allegiance:**

Chairman Lesser called the meeting to order at 9:37 a.m., followed by the pledge of allegiance.

**Approval of Minutes:**

Jon Nahhas commented on the April 8, 2009 minutes. Chairman Lesser asked for a motion to approve the minutes. Commissioner Landini moved and Commissioner Alfieri seconded. The motion was unanimously approved.

**Item 3 – Regular Reports:**

Sergeant Escamillas discussed the Crime Report and the Year to Date Crime Statistics. Deputy Rochford discussed the Liveboard Report.

Chairman Lesser asked that the Year to Date Crime Statistics be presented on a quarterly basis.

Dusty Crane reported on the Special Events. She discussed the Marina del Rey Outdoors Adventures, Fisherman's Village Weekend Concerts and Beach Events. She said Movie Night will start in the summer at Chace Park, further information will be provided.

Jon Nahhas commented that he does not want to see black and white movies. He said he would like soul music played at the events to bring out younger people and to light up the pier.

Beverly Moore said tourism continues to be affected by the changes in the economic conditions nationally and internationally, but Marina del Rey has not been affected. She said two initiatives have been launched this spring to counteract and promote more travel to the community which will consist of special promotions, incentives and rewards and also online consumer advertising.

Carla Andrus said she would like to reach out to the region for small boating opportunities to energize the Marina.

Santos Kreimann commented that he meets on a regular basis with Beverly Moore to make sure the marina is more active.

Beverly Moore said the most important activity in the Marina is the Recreational Boating Activity and information is available seven days a week through the Visitors Bureau.

**Item 4a – Follow-up RE Marina del Rey Slip Sizing Study and Marina del Rey Slip Pricing and Vacancy Study**

Santos Kreimann gave an updated overview of the study and welcomed comments from the commissioners and the public. He said staff was not able to respond to all written comments and suggested that this item be held over until next months meeting.

Chairman Lesser stated that no action will be taken on this item and held over to the next meeting.

Carla Andrus commented on the availability of boat slips and slip vacancies.

Jon Nahhas said the Coastal Act needs to be reviewed and asked why the small boat slips are not filled and that this should be investigated.

Santos Kreimann said the study was prepared for the entire boating community and that the consultants surveyed the various marinas.

John Rizzo said the model of financing is not effective and has a package that he will submit to the board.

Andy Bessette commented on the advertising for comments from the public made by email and the Argonaut. He suggested that a new approach for public comments be taken.

#### **Item 5a – Dock Reconfiguration Plan For Chace Park Peninsula**

Chairman Lesser stated that no action will be taken on this item and held over until next months meeting.

Santos Kreimann gave an overview of the report..

Gary Brockman gave an overview of the design and dock reconfiguration plan.

Jon Nahhas said to reconfigure the docks will require an LCP Amendment, it will not create affordable recreation and will provide more opportunity for wealthy boaters. He said this is against the Coastal Act and provides a hardship against recreational and public access.

Santos Kreimann said it will not require an LCP Amendment, but a Coastal Development Permit will be required.

Michael Tripp said the Department of Regional Planning does not have the jurisdiction with the Local Coastal Program to issue Coastal Development Permits over the water it's done by the Coastal Commission.

Andy Bessette said there is no reason for more reduction of boat slips in the marina, this is greed and corruption. He said that Santa Monica Windjammers Yacht Club was forced out so that a new lease could be taken out on the club house.

David Levine commented on the dock reconfiguration plan and said the commission should gather more information such as hearing more about the process. He asked if an initial study for this dock reconfiguration has been submitted to the Department of Regional Planning and are they going through the same process that would be required if it was a Lessee; how the parking would be handled; will the County pay the fees and will the Promenade be included. Lastly, he said the study should include how the waterside development reconfiguration will interact with the landside developments.

Michael Tripp said that the Department of Regional Planning will have little to do with the development and that the waterside will be reviewed by the Coastal Commission. The Regional Planning will review the number of dock slips for adequate parking.

Carla Andrus asked how Don Knabe received funding to repair the docks and why it isn't cost recovery.

Santos Kreimann said the Board approved that the funds collected from Parcel 47 would go into a trust account which would fund the cost of operation, maintenance and replacement of the slips.

#### **Item 5b – Marina del Rey Slip Vacancies: A Special Report**

Santos Kreimann gave an overview of the report and said there are increases in slip vacancies.

Jon Nahhas commented that the Commissioners start investigating the slip vacancies, inquire about the prices and poor docks.

Carla Andrus said Holiday Harbor was moving boats out of the marina and that there are thirty-three small slips available. She commented that this should be a lively marina.

Santos Kreimann said Holiday Harbor is in the process of trying to obtain a Coastal Development Permit to replace their docks. As part of the management decision boats were moved over to other docks and will be replaced in the near future.

Andy Bessette commented that Marina del Rey is getting a reputation as being one of the most unfriendly marinas in the world. He said the report from Director Kreimann is misleading.

Santos Kreimann said he wanted to have accurate information and did not list the Espirit project because it would have made it appear to have a 12-15 % vacancy.

#### **Item 6a – Ongoing Activities Report**

Santos Kreimann gave an overview of the Ongoing Activities Report which consisted of the Board actions, Regional Planning Commission's calendar, Venice Pumping Plant Dual Force Main project update, Oxford Basin project update, redevelopment project status report and the Unlawful Detainer status.

Michael Tripp stated that public hearings have been set for the following projects Neptune Marina projects (Parcels 10R & FF), the Woodfin Hotel and public park project (P9U). He said the hearing is scheduled for August 12, 2009 at Chace Park but the Regional Planning Commission will have a field trip to the sites on August 8, 2009.

John Rizzo commented that there should be a mini commission under the commissioners. He said the park should be cleaned up and the fence should be removed to help make more interesting.

Santos Kreimann said the letter written by Marcia Hanscom has already been forwarded to Public Works.

Carla Andrus said she was happy to know the dead trees will be removed and that the Tri-Zec building will be considered for the new location for Beaches and Harbors.

Santos Kreimann said multiple locations are being sought for the new Administration Building.

Jon Nahhas asked for clarification in regards to a statement made by Supervisor Knabe. He asked was a RFP for Parcel 49 & 77 going to be generated with the RFQ. He also commented on Unlawful Detainers and Evictions.

Tom Faughnan said yes. The Board letter and Resolution approved by the Board is a two-step process involving a RFQ and RFP.

Chairman Lesser commented that the reason for the Unlawful Detainers on the monthly ongoing report is to see if there is prejudice by the dockmaster.

Santos Kreimann commented that the fourth recommendation calls for the Board of Supervisors to approve an RFP and exclusive right to negotiate based on an RFP that will be issued by Beaches and Harbors and that this is actually a three-step process.

Chairman Lesser asked when could the RFP be reviewed.

Tom Faughnan said if the department is going to make a recommendation to the board to authorize exclusive negotiations with a proposer who has responded to an RFP it would be forwarded to the Commissioners before it is forwarded to the Board of Supervisors.

#### **Item 7 – Communication from the Public**

William Vreszk questioned the statistics and asked if Bar Harbor and Esprit were counted in the Slip Vacancy report.

Carla Andrus commented on the number of vacant slips at Esprit I.

Jon Nahhas commented on waiting lists, advertising of boat slips and vacancy of boat slips.

#### **Item 8 – Adjournment**

Chairman Lesser adjourned the meeting at 12:07 p.m.

Respectfully Submitted By: Donna Samuels, Commission Secretary

\*Copies of taped meetings can be purchased immediately following all meetings with Commission Secretary.

# LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

## MARINA DEL REY STATION

### PART I CRIMES- MAY 2009



Part I Crimes	MARINA AREA	EAST END
	(RD'S 2760-2763)	(RD'S 2764-2768)
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	2
Robbery: Strong-Arm	0	2
Aggravated Assault	4	2
Burglary: Residence	0	13
Burglary: Other Structure	6	7
Grand Theft	10	2
Grand Theft Auto	3	7
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	3	6
Boat Burglary	0	0
Petty Theft	7	2
Total	33	43

**Note-** The above numbers may change due to late reports and adjustments to previously reported crimes.

**Source-** LARCIS, **Date Prepared** -JUNE 1, 2009  
**CRIME INFORMATION REPORT - OPTION B**





**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT  
MARINA DEL REY STATION  
PART I CRIMES- MAY 2009**



	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										0
Rape										0
Robbery: Weapon							1	1		2
Robbery: Strong-Arm								1	1	2
Aggravated Assault	4							1	1	6
Burglary: Residence							5	5	3	13
Burglary: Other Structure	5	1					2	3	2	13
Grand Theft	5	2		2	1			2		12
Grand Theft Auto	3						3	3	1	10
Arson										0
Boat Theft										0
Vehicle Burglary	2	1					3	2	1	9
Boat Burglary										0
Petty Theft	4	1		2			1	1		9
REPORTING DISTRICTS TOTALS	23	5	0	4	1	0	15	19	9	76

**Note-** The above numbers may change due to late reports and adjustments to previously reported crimes.

**Source-** LARCIS, Date Prepared JUNE 1, 2009  
CRIME INFORMATION REPORT - OPTION B

# LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

## MARINA DEL REY STATION

### PART I CRIMES- MAY 2009



Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	1
Robbery: Strong-Arm	0	0
Aggravated Assault	0	0
Burglary: Residence	0	5
Burglary: Other Structure	0	2
Grand Theft	1	0
Grand Theft Auto	0	3
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	0	3
Boat Burglary	0	0
Petty Theft	0	1
<b>Total</b>	<b>1</b>	<b>15</b>

**Note-** The above numbers may change due to late reports and adjustments to previously reported crimes.

**Source-** LARCIS, **Date Prepared** JUNE 1, 2009  
CRIME INFORMATION REPORT - OPTION B



# MARINA DEL REY HARBOR LIVEABOARD COMPLIANCE REPORT 2009



## *Liveaboard Permits Issued*

	April	May
New permits Issued:	7	4
Renewal Issued:	9	13
<hr/>		
Total:	16	17
Notices to Comply Issued:	6	18

Totals:	April	May
<hr/>		
Liveaboard:	348	343
Current Permits:	294	288
Expired Permits:	26	19
No Permits:	28	36

Total reported vessels in Marina del Rey Harbor: 4690

Percentage of vessels that are registered liveaboards 7.31%

Number of currently impounded vessel: 6



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June 4, 2009



**Santos H. Kreimann**  
Director

**Kerry Silverstrom**  
Chief Deputy

TO: Small Craft Harbor Commission

FROM: Santos H. Kreimann, Director

SUBJECT: **ITEM 3b - MARINA DEL REY AND BEACH SPECIAL EVENTS**

### **MARINA DEL REY EVENTS**

#### **MARINA DEL REY OUTDOOR ADVENTURES 2009**

Sponsored by the Los Angeles County Department of Beaches and Harbors  
Burton Chace Park ♦ 13650 Mindanao Way ♦ Marina del Rey ♦ CA ♦ 90292

#### **Bird Watching Experience Program**

Thursday, June 25 at 9:00 am

County-sponsored bird watching walk for adults is a free two-hour walk, which will take place at various sites in the Ballona Wetlands. Meet at the Burton Chace Park Community Room. Participation, parking and transportation to the tour site are free. Pre-registration is a must! To register, please call (310) 628-2135.

#### **MARINA DEL REY WATERBUS**

June 26 through September 7, 2009

For fun on the weekend, ride the Marina del Rey WaterBus. Park your car and ride the WaterBus for a unique water's-eye view of Marina del Rey. Seven boarding stops throughout the Marina offer opportunities to shop or dine in one of the most beautiful Southern California residential and tourist areas. Bikes and strollers welcome on board, no pets allowed. Fare is \$1.00 per person, one way. Season passes are available for \$30.00.

#### **June 26 – September 7**

Fridays: 5:00 pm – midnight  
Saturdays: 11:00 am – midnight  
Sundays: 11:00 am – 9:00 pm

#### **Marina Summer Concert Schedule**

Thursday, July 9: 5:00 pm – midnight  
Thursday, July 23: 5:00 pm – midnight  
Thursday, August 6: 5:00 pm – midnight  
Thursday, August 20: 5:00 pm – midnight

### **Holiday Schedule**

4<sup>th</sup> of July: 11:00 am – midnight

Labor Day: 11:00 am – 9:00 pm

WaterBus attendants will arrange for land taxi service for passengers needing special assistance to any WaterBus boarding stop for the \$1.00 fare.

### **Boarding locations are:**

Marina "Mother's" Beach (ADA accessible)  
4101 Admiralty Way

Fisherman's Village  
13755 Fiji Way

Burton Chace Park (ADA accessible)  
13650 Mindanao Way

Waterfront Walk (ADA accessible)  
4433 Admiralty Way, Fire Station #110

Dolphin Marina (ADA accessible)  
13900 Panay Way, Dock Gate #C-200

Marina Harbor (ADA accessible)  
13928 Tahiti Way, Dock Gate #A-2200

Esprit 1 (ADA accessible)  
13900 Marquesas Way, Dock Gate B-602

Ample parking is available at nearby Los Angeles County lots for a reasonable fee.

For more information: Call Marina del Rey Visitor Center at (310) 305-9545.

### **OPEN COMMUNITY FORUM**

Burton Chace Park Community Room  
Tuesday, June 30, 2009  
6:00 pm – 8:00 pm

The Community and Marketing Services Division will be hosting an Open Community Forum at the Burton Chace Park Community Room. The forum will focus on new recreational programs tentatively scheduled to begin in the fall. The programs will primarily be held at Burton Chace Park and the new Dockweiler Youth Center. The forum will give the community an opportunity to voice their opinion about the programs that the Division plans on implementing and offer any suggestions for other programs or activities not covered or currently included in the new recreation plan.

For more information: Call Burton Chace Park at (310) 305-9596

**MARINA DEL REY FOURTH OF JULY FIREWORKS**

Burton Chace Park  
Saturday, July 4, 2009  
9:00 pm

The traditional fireworks extravaganza over the main channel in Marina del Rey will be presented on Saturday evening, July 4, starting promptly at 9:00 pm. This event is sponsored by the Los Angeles County Department of Beaches and Harbors. The fireworks are choreographed to patriotic music, which will be broadcast by radio station KXLU 88.9 FM in sync with the pyrotechnic display. The music will be relayed over loudspeakers in Burton Chace Park.

Parking is available in County lots. Fireworks may also be viewed at Fisherman's Village and throughout Marina del Rey.

For more information: Call Marina del Rey Visitor Center at (310) 305-9545

**SUNSET SERIES SAILBOAT RACES**

Marina del Rey  
Wednesday Evenings through September 2, 2009  
5:30 pm – 8:00 pm

Spectators can enjoy these races from the comfort of one of the water-view restaurants on Wednesday evenings between 5:30 pm (sailboats leaving the harbor) and 8:00 pm (race finishes at California Yacht Club).

**FISHERMAN'S VILLAGE WEEKEND CONCERTS**

Sponsored by Pacific Ocean Management, LLC  
All concerts are from 2:00 pm – 5:00 pm

**Saturday, June 6**

Malachi Nathan & The Elements, playing Funky Jazz Blues

**Sunday, June 7**

Floyd & The Flyboys, playing Soul Review

**Saturday, June 13**

Eric Ekstrand Ensemble, playing Swing & Jazz

**Sunday, June 14**

2AZZ1 and The Body & Soul Band, playing Smooth Jazz

**Saturday, June 20**

Javid & Naoko New Flamenco, playing Flamenco Guitars

**Sunday, June 21**

The Bill James Group, playing Smooth Jazz

**Saturday, June 27**

The Greg Wright Blues Band, playing Rockin' Blues

**Sunday, June 28**

The John Brown Band, playing Classic Rock/Pop

For more information: Call Pacific Ocean Management at (310) 822-6866

**BEACH EVENTS**

**BEACH SHUTTLE**

Through September 7, 2009

Fridays and Saturdays from 10:00 am – 10:00 pm

Sundays and Holidays from 10:00 am – 8:00 pm

Catch a free ride on the Beach Shuttle to and from Playa Vista, Marina del Rey and Venice, and enjoy the surf, sand, and surroundings of Marina del Rey in a hassle-free and relaxing way. Beach shuttle operates weekends and during the Thursday Marina del Rey Summer Concerts, which begin July 9<sup>th</sup>.

For more information: Call Marina del Rey Visitor Center (310) 305-9545 or Playa Vista Guest House (310) 745-5200. Brochure available at <http://beaches.lacounty.gov> or [www.playavista.com](http://www.playavista.com).

**SANTA MONICA PIER TWILIGHT DANCE SERIES**

Santa Monica

Thursdays from June 25 – August 27, 2009

7:00 pm - 10:00 pm

At free concerts on the Pier, prepare to sing, dance, or just rock out to the best in reggae, folk, rock and eclectic world music on the Santa Monica Pier.

For more information: Contact [www.twilightdance.org](http://www.twilightdance.org)

**MR. AND MRS. MUSCLE BEACH**

Venice Beach  
1800 Ocean Front Walk  
Saturday, July 4, 2009  
Pre-Judging starts at 10:00 am  
Finals start at 1:00 pm

Free Bodybuilding competition on Venice Beach.

For more information: Call (310) 399-2775 or visit [www.musclebeachvenice.com](http://www.musclebeachvenice.com)

**GI JOE PIER TO PIER WALK/RUN**

City of Hermosa Beach  
Hermosa Beach  
Saturday, June 13, 2009  
7:00 am

Walk or run from the Hermosa Beach Pier to the Manhattan Beach Pier and back (approximately four miles) in the sand. Participants will receive a Pier to Pier Run T-shirt, goodie bag and prizes, including a chance to win a free 10 week Boot Camp session.

For more information: Contact Joe Charles at [JCactivity@ca.rr.com](mailto:JCactivity@ca.rr.com)

SHK:ks





*To enrich lives through effective and caring service*



June 4, 2009

**Santos H. Kreimann**  
Director

**Kerry Silverstrom**  
Chief Deputy

TO: Small Craft Harbor Commission

FROM: Santos H. Kreimann, Director

SUBJECT: **ITEM 4a – FOLLOW-UP RE MARINA DEL REY SLIP SIZING STUDY  
AND MARINA DEL REY SLIP PRICING AND VACANCY STUDY**

The Marina del Rey Slip Sizing Study and the Marina del Rey Slip Pricing and Vacancy Study were reviewed by your Commission during the March 11, 2009 and April 8, 2009 meetings. They were again placed on your May 13, 2009 agenda, at which time your Commission held the item for discussion in June.

With respect to the written comments received from five individuals by the end of the extended public comment period on April 22, 2009, both consultants have completed their review of the comments and updated their respective study reports to incorporate their responses. The Slip Sizing study was updated by inclusion of Appendix D to the original report. Likewise, the Slip Pricing and Vacancy Study was updated, principally, by inclusion of Appendix D to the report. Both Appendixes D are attached as Exhibit A and Exhibit B, respectively.

We request that your Commission, upon completion of discussion, endorse the findings contained in the above referenced reports and instruct the Department of Beaches and Harbors to include the report in its comments to the Department of Regional Planning in response to the California Coastal Commission's periodic review.

SHK:ks  
Attachments (2)

# EXHIBIT A

## XV APPENDIX D: RESPONSE TO PUBLIC COMMENTS ON MARINA DEL REY SLIP SIZING STUDY

On March 24, 2009 Los Angeles County Department of Beaches and Harbors ("DBH") released a copy of Noble Consultants, Inc.'s (NCI) Final Draft Report, Marina del Rey Slip Sizing Study ("Study") for public review and comment. DBH received five written comments from various Marina del Rey stakeholders and provided these comments to NCI for review. The following outlines specific responses to public comments provided to NCI followed by a summary of the limited changes made to the Study. The full text of public comments along with DBH's response to each is also included at the end of Appendix D.

### RESPONSE TO COMMENTS

**Marina del Rey Lessees Association** – The Lessees Association provided twelve comments to NCI's Study:

1. Page 1: Bullet Point #4: The report states that "More boats in the 30 feet length and less category are moving to dry boat storage." The consultant should be asked to quantify the number of boats under 30 feet that are moving to dry stack storage.

*Response:* NCI has corrected the Study to say, "More boats in the 30 feet length and less category are expected to move to dry boat storage."

2. Page 2: Table: We believe the Table requires more clarity. Does this Table mean that an individual marina should not have any slips under 30 feet when redeveloped? Does this include dry slips? What does it mean that the Table shows an apparently uneven redistribution of the percentages for the maximum case percentage for individual marinas? For instance, the 11% of slips 50 feet and over remains static, while all other categories 30 feet and above are adjusted upward.

*Response:* This table implies that when combining all of the MDR marinas (not dry storage; these are not marinas) that 30% of these slips be for boat lengths of 30 feet or less, however there also can be a higher percentage of the smaller slip sizes as shown in Table 8. Also, page 34 states that these percentages should not be considered as absolute. This table does not say that an individual reconfigured marina should not have any slips under 30 feet in length; it only says that it is okay to have zero slips under 30 feet as long as there are still at least 30% of the total MDR slips available in this size. The table recommends that the total distribution of boat slips 50 feet and longer should not exceed 11% for all MDR marinas and also for individual reconfigured marinas as well.

3. Page 2: Table: The Table along with the associated recommendations outlined in the Executive Summary, also fails to account for the fact that several anchorages, acting

upon prior County policies, have already submitted proposals which minimize the potential for reconfiguration. The County has reserved the highest proportion of larger slips to those future projects which were not required to respond to prior invitations for Lease Extensions, and the County should reconsider the practical application of this policy.

**Response:** The County has not reserved any proportion of slip sizes for future projects.

4. Page 2: Since the Coastal Commission has recommended eliminating the Funnel Concept, and the recreational boating groups and environmental groups oppose it, then perhaps it should not be mentioned as a viable alternative.

**Response:** The funnel concept is only referenced as one option in order to add additional slips in MDR on the basis that adequate boat navigation is still maintained.

5. Page 3: Bullet Point #1: We should insert the word "substantially" before "meet the minimum requirements..." as the DBAW guidelines and the County's design criteria for Marina del Rey are actually just guidelines and not requirements.

**Response:** The DBAW guidelines include both recommendations and requirements. The minimum requirements for both DBAW and the County should be met as these are requirements, not recommendations, unless the Agencies agree to special exceptions after review, therefore the word "substantially" will not be inserted when referring to "minimum requirements".

6. Page 4: Where has Marina del Rey become "a role model for other urban marinas throughout the world"?

**Response:** NCI has corrected the Study to say, "one of the successful urban marinas throughout the world".

7. Page 6: The proposed slip count relies on the proposed dry stack projects at parcel 53 and 44 actually being constructed. Should these not be constructed the slip count will be reduced to 4,871 rather than to 5,343, resulting in a 677 slip reduction that represents a 12.2% decrease.

**Response:** Both the existing and proposed wet and dry boat storage totals are included. The Study does not assume or state that the proposed wet and dry boat storage will occur. It states that based on what is currently proposed, at the time of the Study, what the total would become when including the currently proposed wet and dry boat storage. The basis of this Study was set forth; that both the existing and the currently known proposed slip counts were considered.

8. Page 7: It is important to note that only the currently proposed slip reconfigurations are included in this report. There are four marinas representing 894 slips which will have to be reconfigured in the next few years. In addition, there are two other marinas reconfigured in the 1980's which will be up for reconfiguration in the next decade, representing another 526 slips.

**Response:** The report does state that the "currently proposed" slip reconfigurations are the ones being considered in this Study. Page 19 provides a listing of the currently proposed marina slip reconfigurations that were considered in this Study, and refers to these eight as currently proposed. It also states that only one of these eight, at the time of this Study, had received final approval while the other seven were in various stages of the approval process. This report also states that the purpose of this Study is to present recommendations for MDR marinas being replaced and reconfigured during the next 40 years (i.e. pages 4 and 34).

9. Page 25: Boat registration numbers change by size categories. Do these numbers of registrations for smaller boats include personal watercraft? If so, the personal watercraft registrations should be removed, because they skew the numbers in favor of smaller slips for vessels that do not require small boat slips.

**Response:** The presented boat registration numbers are national numbers for all registered boats shown within the size categories. There was no presented numbers of personal watercraft that may have been included within these numbers that were available from the data sources utilized. These registration numbers, over the years available, were only used to illustrate that the larger size vessels have the higher percentage increase in vessel registration. Any personal watercraft that may or may not have been included within the "under 16 feet" size category would not change this result.

10. Page 37: It is inconsistent with the recommendations of this study that the existing dry boat storage on parcel 77 should be eliminated.

**Response:** This Study does not recommend that the existing dry boat storage on Parcel 77 be eliminated; it states that this dry boat storage will be eliminated.

11. Page 37: The report identifies Parcel 52/GG to provide dry stack storage for 349 boats and Parcel 44 to provide the same for 234 boats. These two projects are speculative in nature as they face many hurdles in obtaining entitlements in a protracted discretionary process, to say nothing of potential financing challenges.

**Response:** The existing and proposed dry boat storage refers to Table 3 (page 10) which clearly states that both the Parcel 52/GG dry storage of 349 boats and the Parcel 44 dry storage of 234 boats are "proposed" dry boat storage counts.

12. The report has not addressed supportive landside services on marine/commercial properties to facilitate the use of visitor-serving commercial operations such as FantaSea and Hornblower.

**Response:** The scope of work for this Study did not include addressing any supportive landside services.

**Mr. Gregory F. Schem** – Mr. Schem provided eight comments to NCI's Study. Mr. Schem's comments are identical to the Marina del Rey Lessees Association comments above and are addressed by the above responses.

**Mr. Andy Bessette** – Mr. Bessette provided general comments questioning the independence of the Study.

**Response:** The issue of NCI's independence was discussed at some length in the public meeting.

**Mr. Raymond J. Fisher** – Mr. Fisher provided general comments concerning the legitimacy of slip pricing increases in Marina del Rey.

**Response:** See response provided by ADK&A in the ADK&A report since slip pricing was not addressed in NCI's Study of slip sizes.

**Mrs. Lynda and Mr. Wesley Little** – Mr. and Mrs. Little provided general comments concerning the legitimacy of slip pricing increases in Marina del Rey.

**Response:** See response provided by ADK&A in the ADK&A report since slip pricing was not addressed in NCI's Study of slip sizes.

## Comments from Gregory F. Schem

### Noble Study:

1. Page 1: Bullet point # 4: The report states that "more boats in the 30 foot length and less category are moving to dry boat storage". Where is the back up for this conclusion? How many more boats are we talking about? Since there have been very few new dry storage facilities constructed within the market area, has the study included nationwide data outside of the market? If so, is this relevant to Marina del Rey.
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*Graig Schen, p 2*

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**Marina del Rey  
Lessees Association**

C/o Mr. Timothy C. Riley, Executive Director  
8537 Wakefield Avenue  
Panorama City, CA 91402  
Telephone: 818-891-0495; FAX: 818-891-1058

April 21, 2009

Mr. Santos Kreimann  
Director  
Department of Beaches and Harbors  
13837 Fiji Way  
Marina del Rey, CA 90292

Re: Marina del Rey Slip Sizing Study  
Marina del Rey Slip Pricing and Vacancy Study

Dear Mr. Kreimann:

The Marina del Rey Lessees Association submits the following comments, questions and suggestions in the matter of the above-referenced studies commissioned by the County of Los Angeles Department of Beaches and Harbors.

Marina del Rey Slip Sizing Study:

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● Page 2

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#### Marina del Rey Slip Pricing and Vacancy Study

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● Page 4

characteristics and amenities and not based upon whether there is a related upland business. This distinction should be further studied for its validity.

As an interested party to the redevelopment of Marina del Rey to serve our boating community and to enhance our recreational facilities, the Marina del Rey Lessees Association appreciates the independent study efforts that will assist in rebuilding our marinas to modern standards. We believe that these reports substantiate, to a large degree, what other studies have previously found, namely that Marina del Rey is in line with the marketplace and that the trend is to larger wet slips.

We look forward to working with the County as these studies move forward during the public review process.

Sincerely,

David O. Levine  
President

(letter transmitted by email)

**Paul Wong**

---

**From:** wl [ragazza@verizon.net]  
**Sent:** Monday, April 06, 2009 10:33 PM  
**To:** Paul Wong  
**Subject:** Comments to Draft Slip Pricing and Vacancy Report

To Whom It May Concern:

I would like to offer our household's comments regarding the issue of slip pricing in Marina Del Rey.

I have kept sailboats in the marina since 1986. Initially in the county's mast-up storage, and then subsequently in 1997 at the Marina Del Rey Hotel Marina.

Over the last 22 months, I have watched my current leaseholder, Almar, increase my rent by 39%. Has the CPI risen by that much? Have groceries increased by that much? Has anything (including salaries) increased by that much over such a short period of time? Why then, does the county allow this kind of price gouging?

The current proposed rate of \$477/mo for a 30' slip exceeds the costs for similar-sized slips in five other marinas both in MDR and in King Harbor. This is not fair-market pricing, but rather a means to force out the "Little guy" and replace him with more and more of the wealthy few who keep a boat as a business expense, and use it very little. Excess profiteering appears to be the other possible motive behind these increases. Have any of the prior four increases been used to upgrade this LA County asset? I haven't seen one change other than flowers in the bathrooms. The showers are still disgusting mildew-ridden spaces, and the docks are incredibly old and uneven.

Would the county consider leasing parts of Griffith Park, or developing condos at Dockweiler Beach? No, because these are public assets meant for the ENTIRE populace of LA County to enjoy. MDR should be viewed just the same. You can't put a price on the only county recreational boating area for millions of county residents. By allowing these unjustifiable increases, that is exactly what is happening.

Thank you for your time. I hope you'll strongly consider my views.

Sincerely,

Wesley and Lynda Little  
41163 Rimfield Dr  
Palmdale CA 93551

5/6/2009



Page 2 of 2  
March 15, 2009  
Santos H. Kreimann Director

When I first rented my slip at the Hotel (1988) I was told that the slips would be substantially improved or replaced within a couple of years. Quite honestly not only has **NOTHING** been done but the slips are now almost dangerous. What adds "insult to injury" is that my slip rents have increases by an enormous amount since inception and **NOW** I have been advised of another 16% plus increase. I was mistakenly patient from 1988 thru 2000 for improvements or replacement. However when Almar Management, Inc. took over a few years ago the increase started again with **AGAIN** the assurance of new docks.

What I am upset is that, they/you can increase the rent stating they will be replacing the docks **OR** replacing the docks **THEN** raising the rent. **YOU CANNOT DO BOTH!!!!**

I have had a number of conversations with Jim Hayes the V.P. of operations for Almar who seems to be also frustrated and get the feeling that their "hands are tied" as they need approval from the County. If this is true and based on the meeting last week I must make you aware the County is jeopardizing a major asset in income revenue and tourist appeal in a major way. Its time to make this marina the "showcase" it should be. This alone will substantially increase revenues for the County. I am getting the feeling and taking to other boaters they are getting tired of "nothing being done" for 20 years and will either move their boat to another marina or possibly give up boating.

As now a retired accountant /business manager, while I appreciate the "survey" I find that it only gives an indication of the status. As an accountant I have many times been asked the question. What is two plus two? My answer is "what do you want it to be? I find that the survey should have made adjustments for Newport as it is a very affluent area plus it should include San Diego area due to substantial amount of docks, slips & boats. Also San Francisco area is not compatible and should be eliminated.

Lastly I would like to offer my services, (obviously gratis) to assist in this seems to be a "monumental task" I have many contacts City, County & Federal that maybe of some assistance in this matter. Maybe some of the promised "stimulus monies" that we all need can be used to expedite this matter.

Respectfully submitted

Raymond J Fisher

**Paul Wong**

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**From:** andy besette [besette\_andy@yahoo.com]  
**Sent:** Wednesday, April 22, 2009 10:05 AM  
**To:** Paul Wong  
**Subject:** slip size and pricing studies  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Hello Paul,

following are my comments regarding the recent slip size and pricing studies:

These studies are a complete fabrication, ordered virtually word-for-word by the developers, purposely laden with misinformation, erroneous data and conclusions, their principle intent being to mislead the public and lend credence to the county's pitiful planning, cover-up their price gouging, and hide the decimation of small boat slips and the gentrification of this marina. The pricing study does not represent what is now being paid by slip renters, but has been created to increase the lessees' property values and force out the boaters of normal or modest means.

The sizing study has been written to deliberately hide the true numbers of slips lost due to the developers' land-grabbing of the related boat-owner parking; to disguise the county's failure to honestly manage this marina; and to glorify the developers' rapacious redevelopment plans. In a word, it shows to what lengths the county is willing to stoop...in their desperation for money. And it showcases the level of corruption which has become "acceptable" to the leaders of our unfortunate community, and their indifference to the needs of the boaters for whom the marina was built.

Shame on you all.

Respectfully,

Andy Besette  
Marina Boatowners Association

5/6/2009

## Comments from Gregory F. Schem

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Lessees Association**

C/o Mr. Timothy C. Riley, Executive Director  
8537 Wakefield Avenue  
Panorama City, CA 91402  
Telephone: 818-891-0495; FAX: 818-891-1056

April 21, 2009

Mr. Santos Kreimann  
Director  
Department of Beaches and Harbors  
13837 Fiji Way  
Marina del Rey, CA 90292

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41163 Rimfield Dr  
Palmdale CA 93551

5/6/2009

**RAYMOND J FISHER**  
**13080 MINDANAO WAY #98**  
**MARINA DEL REY, CA. 90292**  
**TEL: (310) 823-4488 FAX (310) 823-8559**  
**E-Mail: raymondjfisher@gmail.com or ray@starbizmgmt.com**

Via mail  
 Via fax (31)821-6345

March 15, 2009

Santos H. Kreimann Director  
 Los Angeles County Beaches & Harbor  
 13837 Piji Way  
 Marina Del Rey  
 California 90292

Department of Beaches and Harbors	Info	Act
	1/29	1/29
	Deputy Director	
	Deputy Director	
	Deputy Assistant	
	Deputy Assistant	
MAR 16 '09		

Dear Mr Kreimann:

I had the "experience of" attending the meeting on Wednesday March 11, 2009 at Burton Chase Park. I had the opportunity to address you and the Board but unfortunately I feel I was not clear in precise on my "presentation" I had undergone a length MRI that day and was in pain & very tired.

I would like the opportunity to set forth in writing my points, evaluation, and comments in writing to be sure that my feelings and comments are of a more permanent record. I would firstly like to commend you with for your work in what seems to be a very difficult matter. I feel that you will most likely make some much needed changes and improvements as expeditiously as possible.

I have been a tenant of Marina Del Rey Hotel Slips since 1988. I have a 48ft Yacht and consider myself a "large boat owner" in fact I have been trying to purchase a larger boat (70" for a number of years).

I also feel that way to much attention is given to "small boat owners" It seems nothing gets done because of inaccurate outrage of small boat owners not being able to find a slip. I know for a fact there are always vacancies for small boat owners and in fact it seems now and your survey proves it. The small boat owner has more than enough availability. The large boat owner must be given some input and consideration in this matter

Page 2 of 2

March 15, 2009

Santos H. Kreimann Director

When I first rented my slip at the Hotel (1988) I was told that the slips would be substantially improved or replaced within a couple of years. Quite honestly not only has **NOTHING** been done but the slips are now almost dangerous. What adds "insult to injury" is that my slip rents have increases by an enormous amount since inception and **NOW** I have been advised of another 16% plus increase. I was mistakenly patient from 1988 thru 2000 for improvements or replacement. However when Almar Management, Inc. took over a few years ago the increase started again with **AGAIN** the assurance of new docks.

What I am upset is that, they/you can increase the rent stating they will be replacing the docks **OR** replacing the docks **THEN** raising the rent. **YOU CANNOT DO BOTH!!!!**

I have had a number of conversations with Jim Hayes the V.P. of operations for Almar who seems to be also frustrated and get the feeling that their "hands are tied" as they need approval from the County. If this is true and based on the meeting last week I must make you aware the County is jeopardizing a major asset in income revenue and tourist appeal in a major way. Its time to make this marina the "showcase" it should be. This alone will substantially increase revenues for the County. I am getting the feeling and taking to other boaters they are getting tired of "nothing being done" for 20 years and will either move their boat to another marina or possibly give up boating.

As now a retired accountant/business manager, while I appreciate the "survey" I find that it only gives an indication of the status. As an accountant I have many times been asked the question. What is two plus two? My answer is "what do you want it to be! I find that the survey should have made adjustments for Newport as it is a very affluent area plus it should include San Diego area due to substantial amount of docks, slips & boats. Also San Francisco area is not compatible and should be eliminated.

Lastly I would like to offer my services, (obviously gratis) to assist in this seems to be a "monumental task" I have many contacts City, County & Federal that maybe of some assistance in this matter. Maybe some of the promised "stimulus monies" that we all need can be used to expedite this matter.

Respectfully submitted

Raymond J Fisher



**Paul Wong**

---

**From:** andy bessette [bessette\_andy@yahoo.com]  
**Sent:** Wednesday, April 22, 2009 10:05 AM  
**To:** Paul Wong  
**Subject:** slip size and pricing studies  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Hello Paul,

following are my comments regarding the recent slip size and pricing studies:

These studies are a complete fabrication, ordered virtually word-for-word by the developers, purposely laden with misinformation, erroneous data and conclusions, their principle intent being to mislead the public and lend credence to the county's pitiful planning, cover-up their price gouging, and hide the decimation of small boat slips and the gentrification of this marina. The pricing study does not represent what is now being paid by slip renters, but has been created to increase the lessees' property values and force out the boaters of normal or modest means.

The sizing study has been written to deliberately hide the true numbers of slips lost due to the developers' land-grabbing of the related boat-owner parking; to disguise the county's failure to honestly manage this marina; and to glorify the developers' rapacious redevelopment plans. In a word, it shows to what lengths the county is willing to stoop...in their desperation for money. And it showcases the level of corruption which has become "acceptable" to the leaders of our unfortunate community, and their indifference to the needs of the boaters for whom the marina was built.

Shame on you all.

Respectfully,

Andy Bessette  
Marina Boatowners Association

5/6/2009



*To enrich lives through effective and caring service*



**Santos H. Kreimann**  
Director  
**Kerry Silverstrom**  
Chief Deputy

May 4, 2009

Mr. Gregory F. Schem, Managing Director  
Harbor Real Estate, L.P.  
13555 Fiji Way  
Marina Del Rey, CA 90292

**COMMENTS REGARDING MARINA DEL REY SLIP SIZING STUDY  
AND MARINA DEL REY SLIP PRICING AND VACANCY STUDY**

Dear Mr. Schem:

We are in receipt of your e-mail setting forth your comments regarding the Marina Del Rey Slip Sizing Study and the Marina Del Rey Slip Pricing and Vacancy Study. We have reviewed your comments and have forwarded them to our consultants for their review. If our consultants find the data and information you provided to us useful, they will include it in the studies. Also, we intend to request our consultants to attach your comments to the studies as an exhibit.

Thank you for your input.

Very truly yours,

**SANTOS H. KREIMANN, DIRECTOR**

Paul Wong, Chief  
Asset Management Division



*To enrich lives through effective and caring service*



**Santos H. Krelmann**  
Director

**Kerry Silverstrom**  
Chief Deputy

May 4, 2009

Mr. David O. Levine, President  
Marina Del Rey Lessees Association  
c/o Mr. Timothy C. Riley, Executive Director  
8537 Wakefield Avenue  
Panorama City, CA 91402

**COMMENTS REGARDING MARINA DEL REY SLIP SIZING STUDY  
AND MARINA DEL REY SLIP PRICING AND VACANCY STUDY**

Dear Mr. Levine:

We are in receipt of your April 21, 2009, letter setting forth your comments, questions, and suggestions regarding the Marina Del Rey Slip Sizing Study and the Marina Del Rey Slip Pricing and Vacancy Study. We have reviewed your data, comments, and suggestions and have forwarded them to our consultants for their review. If our consultants find the data and information you provided to us useful, they will include it in the studies. Also, we intend to request the consultants to attach your comments to the studies as an exhibit.

Thank you for your input.

Very truly yours,

**SANTOS H. KRELMANN, DIRECTOR**

Paul Wong, Chief  
Asset Management Division



*To enrich lives through effective and caring service*



**Santos H. Kreimann**  
Director

**Kerry Silverstrom**  
Chief Deputy

May 4, 2009

Mr. Wesley Little and Mrs. Lynda Little  
41163 Rimfield Drive  
Palmdale, CA 93551

**COMMENTS REGARDING MARINA DEL REY SLIP SIZING STUDY  
AND MARINA DEL REY SLIP PRICING AND VACANCY STUDY**

Dear Mr. and Mrs. Little:

Thank you for submitting comments regarding the Marina Del Rey Slip Sizing Study and the Marina Del Rey Slip Pricing and Vacancy Study. We appreciate your participation in the public comments portion of the two above-mentioned studies. We intend to request the consultants to attach your comments to the studies as an exhibit. Your specific concerns regarding your slip fee increase were addressed in a separate letter sent to you on March 26, 2009.

Thank you for your input.

Very truly yours,

SANTOS H. KREIMANN, DIRECTOR

Paul Wong, Chief  
Asset Management Division



*To enrich lives through effective and caring service*



**Santos H. Kreimann**  
Director

**Kerry Silverstrom**  
Chief Deputy

May 4, 2009

Mr. Raymond J. Fisher  
13080 Mindanao #98  
Marina Del Rey, CA 90292

**COMMENTS REGARDING MARINA DEL REY SLIP SIZING STUDY  
AND MARINA DEL REY SLIP PRICING AND VACANCY STUDY**

Dear Mr. Fisher:

Thank you for your participation with the public review portion of the two above-mentioned studies. Specifically, we appreciate you for coming to the March 11, 2009, meeting and for your March 15, 2009, letter setting forth your comments regarding the Marina Del Rey Slip Sizing Study and the Marina Del Rey Slip Pricing and Vacancy Study. It is very important for us to hear from the public, and we appreciate individuals like you who take the time to come forward with comments.

We intend to request our consultants to attach your comments set forth in your letter as an exhibit to the studies. Thank you again for your participation.

Very truly yours,

**SANTOS H. KREIMANN, DIRECTOR**

Paul Wong, Chief  
Asset Management Division

**Paul Wong**

**From:** Paul Wong  
**Sent:** Wednesday, May 06, 2009 7:53 AM  
**To:** 'andy bessette'  
**Subject:** RE: slip size and pricing studies

Hello, Andy:

We have received your comments regarding the Marina del Rey Slip Sizing Study and the Marina del Rey Slip Pricing and Vacancy Study. We intend to request the consultants to attach your comments to the studies as an exhibit.

Paul Wong  
(310) 305-9512

**From:** andy bessette [mailto:bessette\_andy@yahoo.com]  
**Sent:** Wednesday, April 22, 2009 10:05 AM  
**To:** Paul Wong  
**Subject:** slip size and pricing studies

Hello Paul,

following are my comments regarding the recent slip size and pricing studies:

These studies are a complete fabrication, ordered virtually word-for-word by the developers, purposely laden with misinformation, erroneous data and conclusions, their principle intent being to mislead the public and lend credence to the county's pitiful planning, cover-up their price gouging, and hide the decimation of small boat slips and the gentrification of this marina. The pricing study does not represent what is now being paid by slip renters, but has been created to increase the lessees' property values and force out the boaters of normal or modest means.

The sizing study has been written to deliberately hide the true numbers of slips lost due to the developers' land-grabbing of the related boat-owner parking; to disguise the county's failure to honestly manage this marina; and to glorify the developers' rapacious redevelopment plans. In a word, it shows to what lengths the county is willing to stoop...in their desperation for money. And it showcases the level of corruption which has become "acceptable" to the leaders of our unfortunate community, and their indifference to the needs of the boaters for whom the marina was built.

Shame on you all.

Respectfully,

Andy Bessette  
Marina Boatowners Association

5/6/2009



**Allan D. Kotin & Associates**  
Real Estate Consulting for Public Private Joint Ventures  
949 S. Hope Street, Suite 200, Los Angeles, CA 90015

## EXHIBIT B

310.820.0900  
213.623.3841  
Fax 213.623.4231

akotin@adkotin.com

### APPENDIX D: RESPONSE TO PUBLIC COMMENTS ON MARINA DEL REY SLIP PRICING AND VACANCY STUDY

On March 24, 2009 Los Angeles County Department of Beaches and Harbors ("DBH") released a draft of Allan D. Kotin & Associates ("ADK&A") Draft Marina del Rey Slip Pricing and Vacancy Study ("Study") for public review and comment. DBH received five written comments from various Marina del Rey stakeholders and provided these comments to ADK&A for review. The following outlines specific responses to public comments provided to ADK&A followed by a summary of the limited changes made to the Study. The full text of public comments along with DBH's response to each is also included at the end of Appendix D.

#### RESPONSE TO COMMENTS

**Marina del Rey Lessees Association** – The Lessees Association provided three comments to ADK&A's Study:

1. Page 1: Under "key Findings of the Noble Consultants Report," the word "proposed" should precede "dry storage for smaller boats" in the last sentence of the first paragraph.

**Response:** ADK&A has corrected the Study to reflect this proposed change.

2. Page 8: Boat yards and other marina operators do not maintain vacancy to accommodate customers or for the purpose of other collateral uses. Other than minimal staging areas for haul out, all slips are rented to slip tenants and/or leased to sub-tenants.

**Response:** See combined response below.

3. Page 9: The difference between so called "independently priced marinas" and other marinas seems to be overblown. It is our experience that all marina slips compete with all other marina slips based upon their individual characteristics and amenities and not based upon whether there is a related upland business. This distinction should be further studied for its validity.

**Response:** Fully respecting the comments offered, the fact remains that there necessarily must be some differences in priorities between the independently priced marinas operated for no other purpose than to generate revenues from slip occupancy and adjacency affected marinas which are operated as part of business with other activities and profit sources. ADK&A is not comfortable lumping the two groups together because it seems likely that the price setting and occupancy patterns may in some way be affected in by other priorities.

More importantly, the fact that ADK&A chose to segregate the two groups has no material effect on the results or conclusions drawn from the Study. Appendix A shows that the



## MARINA DEL REY SLIP PRICING AND VACANCY STUDY – APPENDIX D

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adjacency affected slip pricing trends are very similar to those observed in independently priced slips and Appendix C shows the similarity of vacancy trends between the two groups.

**Mr. Gregory F. Schem** – Mr. Schem also provided three comments to ADK&A's Study. Mr. Schem's comments are nearly identical to the Marina del Rey Lessees Association comments above and are addressed by the above responses.

**Mr. Andy Bessette** – Mr. Bessette provided general comments questioning the independence of the Study.

*Response:* The issue of ADK&A's independence was discussed at some length in the public meeting.

**Mr. Raymond J. Fisher** – Mr. Fisher provided general comments concerning the legitimacy of slip pricing increases in Marina del Rey.

*Response:* See combined response below.

**Mrs. Lynda and Mr. Wesley Little** – Mr. and Mrs. Little provided general comments concerning the legitimacy of slip pricing increases in Marina del Rey.

*Response:* Assessing the legitimacy of slip price increases is not the purpose of the ADK&A Study. The purpose of the Study is to report what slip pricing is and how it has changed over time, not whether or not the changes in pricing are justified.

Furthermore, the County has considered the issue of price regulation in the past. There exists a significant conflict between price regulation and the creation of an arms length market lease negotiation, and it was concluded in a 1986 lawsuit that if the County imposed slip price controls, it would be unable to negotiate fair market participating rents.

## CHANGES TO THE REPORT

As mentioned above, limited changes were made to the Study; those changes are spelled out in detail below. Also attached for your reference is a redline of the revised report, which tracks the changes from the draft report dated 3/16/09 to the revised version dated 5/7/09.

1. The label at the bottom of the cover page, which read " FINAL DRAFT FOR PUBLIC REVIEW – SUBJECT TO CHANGE" has been removed.





## MARINA DEL REY SLIP PRICING AND VACANCY STUDY – APPENDIX D

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2. A footnote was added to page 1, which notes that, “A draft of this report was circulated on March 24, 2009. In response to comments made on the draft, only minor typographical corrections were made in the document. Comments expressing disagreement with judgments in the document or dissatisfaction with related county policies are addressed in the Addendum, Appendix D.” *Note also that the vacancy and pricing data in the report has not been updated, and the original March release date is unchanged.*
3. On page 1, the last sentence of the first paragraph under the heading “ Key Findings of the Noble Consultants Report” was changed to include the word “proposed” before “dry storages for smaller boats.”
4. The Cabrillo Marina slip distribution in Exhibit 5 on page 9 has been changed to reflect a correction that DBH received from Kevin Ketchum. Mt. Ketchum acknowledged that the initial error may well have been the result of incorrect information provided to the survey by his personnel. This table is derived from Appendix B, which was updated to reflect this change.
5. A footnote was added to page 9 explaining the update of Exhibit 5.
6. On page 20, the last sentence of the report was changed to read, “except for the Dana West Marina which was up 3.3% last fall.” In the previous version it read “off” instead of “up.” A footnote was also added, which notes that this was, “As of February 2009 when data was collected (not updated).” *Note: this qualification is critical insofar as there has been a general increase in vacancy and some decline in rates since the date of the survey as a consequence of the general downturn in the economy.*
7. Changed the filename to cite the updated version of the file towards the bottom of page 20 for reference.

## Comments From Gregory F. Schem

### Noble Study:

1. Page 1: Bullet point # 4: The report states that "more boats in the 30 foot length and less category are moving to dry boat storage". Where is the back up for this conclusion? How many more boats are we talking about? Since there have been very few new dry storage facilities constructed within the market area, has the study included nationwide data outside of the market? If so, is this relevant to Marina del Rey.
2. Page 2: Table: Does this mean that an individual marina should not have any slips under 30 feet when re-developed? But if the combined percentage is recommended to be 30% or less, then how do we get there?
3. Page 2: In Since the Coastal Commission has recommended eliminating the Funnel Concept, and the recreational boating groups and environmental groups are opposed to it, then perhaps it should not be mentioned as a viable alternative.
4. Page 3: Bullet point #1: We should insert the word "substantially" before "meet the minimum requirements..." as they are actually just guidelines and not requirements. By providing some flexibility, major changes in configuration may not become necessary in order to comply. This may provide a very cost effective solution for maintaining existing slip counts. It only makes sense that guidelines maintain more flexibility than specific requirements.
5. Page 4: Where has Marina del Rey become a "role model" for other urban marinas throughout the world? This seems overly presumptive for a factual report.
6. Page 6: The proposed slip count relies in the proposed dry stack projects at parcel 53 and 44 actually being constructed. Should these not be constructed the slip count will be reduced to 4,871 rather than to 5,343 resulting in a 677 slip reduction representing a 12.2% decrease. Since these projects are far from even obtaining their basic entitlements and CEQA review, this study should not assume their completion is a fait accompli in its analysis of the base case. Most importantly, since the total slip count is the very basis of this reports fundamental conclusions, the validity and likelihood of these assumptions should be clearly set forth.
7. Page 7: It is important to note that only the currently proposed slip reconfigurations are included in this report. There are four marinas representing 894 slips which will have to reconfigure in the next few years. In addition, there are two other marinas which reconfigured in the 1980's which will be up for reconfiguration in the next decade representing 526 slips. Together, this represents 1,420 slips or 27% of the marina which is not included in this study. The reconfiguration of these marinas will likely involve a similar reduction in boat slips and an increase in length as discussed in this report.
8. Page 37: It is inconsistent with the recommendations of this study that the existing dry storage on parcel 77 should be eliminated. Given the lower costs associated with the existing storage facility on this parcel, I would think the author would recommend retaining this use.

### ADK&A Report:

1. Page 1: The word "proposed" should precede "dry storage facilities for smaller boats" in second paragraph under Key Findings. This is important given the speculative nature of the two dry

*Greg Schen, p 2*

storage facilities which (as stated above) still face considerable economic and entitlement challenges.

2. Page 8: Boat yards (and I suspect hotels as well) do not maintain vacancy to accommodate customers and never have. Other than minimal staging areas for haul out, all slips are rented to slip tenants and/or leased to sub-tenants.
3. Page 9: The difference between the so called "independently priced marinas" and other marinas seems to be over blown. It is our experience that all marina slips compete with all other marina slips based upon their individual characteristics and amenities and not based upon whether there is a related upland business. This distinction should be further studied for its validity.

**Marina del Rey  
Lessees Association**

C/o Mr. Timothy C. Riley, Executive Director  
8537 Wakefield Avenue  
Panorama City, CA 91402  
Telephone: 818-891-0495; FAX: 818-891-1056

April 21, 2009

Mr. Santos Kreimann  
Director  
Department of Beaches and Harbors  
13837 Fiji Way  
Marina del Rey, CA 90292

Re: Marina del Rey Slip Sizing Study  
Marina del Rey Slip Pricing and Vacancy Study

Dear Mr. Kreimann:

The Marina del Rey Lessees Association submits the following comments, questions and suggestions in the matter of the above-referenced studies commissioned by the County of Los Angeles Department of Beaches and Harbors.

Marina del Rey Slip Sizing Study:

1. Page 1: Bullet point # 4: The report states that "more boats in the 30 foot length and less category are moving to dry boat storage". While we concur that a greater number of smaller boats should be placed in dry stack storage, we do not find that the report provides sufficient data to reach this conclusion. The consultant should be asked to quantify the number of boats under 30 feet that are moving to dry stack storage. Since there have been very few new dry storage facilities constructed within the market area, has the study included nationwide data outside of the market? If so, is this relevant to Marina del Rey?
2. Page 2: Table: We believe the Table requires more clarity. Does this Table mean that an individual marina should not have any slips under 30 feet when re-developed? But if the combined percentage is recommended to be 30% or less, how is this achieved? If the first marinas to be redeveloped drop all boat slips under 30 feet, then do the last marinas to be developed take the entire burden of providing the under 30 foot slips in order to maintain the 30% ratio? What does the Table mean by saying 30% of the combined percentage for all MDR marinas is 30% for 30 feet and under? Does this include dry slips? What does it mean that the Table shows an apparently uneven redistribution of the percentages for the maximum case percentage for individual marinas? For instance, the 11% of slips 50 feet and over remains static, while all other categories 30 feet and above are adjusted upward.